

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

JOINT APPROP SUBCOMMITTEE ON CORRECTIONS AND PUBLIC SAFETY

Call to Order: By **CHAIRMAN STEVE VICK**, on **January 15, 1999** at
8:00 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Rep. Steve Vick, Chairman (R)
Sen. Arnie Mohl, Vice Chairman (R)
Sen. Chris Christiaens (D)
Rep. Stan Fisher (R)
Sen. Dale Mahlum (R)
Rep. Red Menahan (D)
Sen. Debbie Shea (D)

Members Excused: None.

Members Absent: None.

Staff Present: Skip Culver, Legislative Branch
Mary LaFond, OBPP
Linsey Mortensen, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Executive Action: Department of Justice
-Forensic Science
-Gambling Division
-Motor Vehicle Division
-Criminal Investigations
-Law Enforcement Academy
-Highway Patrol

EXECUTIVE ACTION ON RENT

EXHIBIT(jih11a01)

Forensic Science Lab RENT

Motion: SEN. MOHL moved that RENT FOR THE FORENSIC SCIENCE LAB WITH AN INCREASE OF \$245,567 BE ADOPTED.

Discussion: Bill Unger, administrator for the Forensic Science Division, and Garrett Bakken, leasing director for the state, answered committee questions.

Substitute Motion: SEN. CHRISTIAENS made a substitute motion that THE ORIGINAL PROPOSAL FOR THE FORENSIC LAB RENT WITH AN INCREASE OF \$413,076 BE ADOPTED.

Vote: Motion failed 3-4 with Christiaens, Menahan, and Shea voting aye.

Vote on Original Motion: Motion carried 4-3 with Christiaens, Menahan, and Shea voting no.

{Tape : 1; Side : A; Approx. Time Counter : 4 - 21.1}

Other Rent

Motion/Vote: SEN. MOHL moved that RENT FOR THE GAMBLING, HIGHWAY PATROL, MOTOR VEHICLE, AND CRIMINAL INVESTIGATIONS DIVISIONS INCREASE BY \$41,000 BE ADOPTED. Motion carried 4-3 with Christiaens, Menahan, and Shea voting no.

{Tape : 1; Side : A; Approx. Time Counter : 21.1 - 26.5}

EXECUTIVE ACTION ON FORENSIC SCIENCE LAB

Motion/Vote: REP. FISHER moved that BASE BUDGET AND STATEWIDE PRESENT LAW ADJUSTMENTS BE ADOPTED. Motion carried unanimously.

Motion/Vote: SEN. MOHL moved that ACCEPT PRESENT LAW BASE WITH EXCEPTION OF RENT BE ADOPTED. Motion carried unanimously.

{Tape : 1; Side : A; Approx. Time Counter : 26.5 - 31.5}

Toxicology Lab Technician (DP 23210)

Chemist Position for Drug Analysis (DP 23211)

Legislative Contract Authority (DP 23217)

Motion: SEN. MOHL moved that DP 23210, 23211, 23217 BE ADOPTED.

Discussion: Comments on the ear-marked uses of the alcohol tax.

Vote: Motion carried unanimously.

{Tape : 1; Side : B; Approx. Time Counter : 0.3 - 4.7}

Motion/Vote: SEN. MAHLUM moved that THE BUDGET BE ADOPTED AS AMENDED. Motion carried 4-3 with Christiaens, Menahan, and Shea voting no.

{Tape : 1; Side : B; Approx. Time Counter : 4.7 - 5.5}

EXECUTIVE ACTION ON GAMBLING CONTROL DIVISION

{Tape : 1; Side : B; Approx. Time Counter : 5.5 - 30.3; Comments : Jim Oppedahl answered questions from the committee}{Tape : 2; Side : A; Approx. Time Counter : 0 - 0.3; Comments : discussion continued.}EXHIBIT(jih11a02)

Motion/Vote: SEN. MOHL moved that THE BASE BUDGET AND STATEWIDE PRESENT LAW ADJUSTMENTS BE ADOPTED. Motion carried unanimously.

{Tape : 2; Side : A; Approx. Time Counter : 2.5 - 12.2; Comments : Discussion on Cabaret licenses, FTE, and Rent in Billings}

Base Budget Adjustments-GCD (DP 10701)

Motion/Vote: SEN. MOHL moved that DP 10701 WITH A RESTRICTION/ONE TIME ONLY ON THE OUT-OF-COUNTRY TRAVEL AND AN ADJUSTMENT FOR THE MISSOULA RENT BE ADOPTED. Motion carried unanimously.

{Tape : 2; Side : A; Approx. Time Counter : 12.2 - 14.4}

Base Budget Adjustments-Cabaret (DP 10702)

Motion/Vote: REP. MENAHAN moved that DP 10702 BE ADOPTED. Motion carried unanimously.

Motion/Vote: SEN. MAHLUM moved that THE BUDGET BE ADOPTED AS AMENDED. Motion carried unanimously.

{Tape : 2; Side : A; Approx. Time Counter : 14.4 - 16.5}

EXECUTIVE ACTION ON MOTOR VEHICLE DIVISION

Motion/Vote: SEN. MAHLUM moved that THE BASE BUDGET AND STATEWIDE PRESENT LAW ADJUSTMENTS BE ADOPTED. Motion carried unanimously. *Senator Christiaens absent*

{Tape : 2; Side : A; Approx. Time Counter : 18.5- 32.2; Comments : Dean Roberts and Jandee May answered committee questions}{Tape : 2; Side : B; Approx. Time Counter : 0.5 - 5.7 : discussion continued}EXHIBIT(jih11a03)

Base Adjustments MV Operations (DP 11201)

Motion/Vote: REP. FISHER moved that DP 11201 BE ADOPTED. Motion carried unanimously. *Senator Christiaens absent*

Base Adjustments DL Operations (DP 11202)

Motion: REP. MENAHAN moved that DP 11202 BE ADOPTED.

Discussion: Roberts explained about the Billings rent.

Vote: Motion carried unanimously.

{Tape : 2; Side : B; Approx. Time Counter : 5.7 - 14.7}

Discussion about imaging machine and one license plate.

Motion/Vote: SEN. MAHLUM moved that TO HAVE THE COMMITTEE DRAFT A BILL TO GO TO ONE LICENSE PLATE AND USE THE MONEY FOR THE IMAGING MACHINE BE ADOPTED. Motion carried 4-2 with Menahan and Shea voting no. *Senator Christiaens absent*

{Tape : 2; Side : B; Approx. Time Counter : 14.7 - 22.9}

Motion/Vote: REP. FISHER moved TO APPROPRIATE \$410,000 FOR THE BIENNIUM TO THE MVD FOR IMAGING SYSTEM CONTINGENT ON PASSAGE OF THE COMMITTEE BILL BE ADOPTED. Motion carried 5-1 with Menahan voting no. *Senator Christiaens absent*

{Tape : 2; Side : B; Approx. Time Counter : 24.2 - 27.9}

Motion/Vote: SEN. MOHL moved that BUDGET BE ADOPTED AS AMENDED. Motion carried 5-1 with Menahan voting no. *Senator Christiaens absent*

{Tape : 2; Side : B; Approx. Time Counter : 29.9 - 30}

EXECUTIVE ACTION ON DIVISION OF CRIMINAL INVESTIGATIONS

Motion/Vote: SEN. MOHL moved that BASE BUDGET AND STATEWIDE PRESENT LAW ADJUSTMENTS BE ADOPTED. Motion carried unanimously. *Senator Shea and Representative Menahan absent*

Discussion by committee on Base Budget Adjustments-DCI (DP 11801)

Motion/Vote: SEN. MOHL moved that DP 11801 ADJUSTED FOR MISSOULA RENT AND REPLACEMENT OF 5 VEHICLES IN ITEM 3 BE ADOPTED. Motion carried 4-3 with Christiaens, Menahan, and Shea voting no.

Motion/Vote: SEN. MOHL moved that ADJUST SPENDING FROM GENERAL FUND TO STATE SPECIAL FUND BE ADOPTED. Motion carried unanimously.

{Tape : 3; Side : A; Approx. Time Counter : 1.5 - 32}

Discussion on Contract Authority between Chairman Vick, Mike Batista, and Jandee May.

Legislative Contract Authority (DP 29814)

Motion: SEN. MOHL moved that DP 29814 BE ADOPTED.

Discussion: Senator Mahlum asked of the money was not all spent where does it go. Mary LaFond replied that the money just drops off.

Vote: Motion carried unanimously.

{Tape : 3; Side : B; Approx. Time Counter : 0 - 5.5}

The Attorney General spoke on the sex and violent registry, and getting more money or FTE. Mary LaFond stated that of OBPP suggested that the Department of Justice take a vacant position from the Department of Corrections. Questions and comments made by the committee.

Motion/Vote: SEN. MOHL moved that TAKE AWAY ONE FTE AWAY FROM THE DEPARTMENT OF CORRECTIONS AND MOVE IT TO THE DEPARTMENT OF JUSTICE FOR THE SEX AND VIOLENT REGISTRY PROGRAM BE ADOPTED. Motion carried unanimously.

Motion/Vote: SEN. MAHLUM moved that BUDGET BE ADOPTED AS AMENDED. Motion carried unanimously.

{Tape : 3; Side : B; Approx. Time Counter : 5.5 - 14.5}

EXECUTIVE ACTION ON LAW ENFORCEMENT ACADEMY

Motion/Vote: SEN. MAHLUM moved that BASE AND STATEWIDE PRESENT LAW ADJUSTMENTS BE ADOPTED. Motion carried unanimously.

Base Budget Adjustments - LEADS (DP 12201)

Motion: SEN. CHRISTIAENS moved that DP 12201 BE ADOPTED.

Discussion: Greg Noose, administrator for the Montana Law Enforcement Academy, answered committee questions.

Vote: Motion carried unanimously.

Substance Abuse Prevention Education (DP 22212)

Motion: REP. FISHER moved that DP 22212 BE ADOPTED.

Discussion: Comments by Senator Mohl on backfill of federal funds. Greg Noose explained that it was a backfill on federal funds, and the results of it.

Vote: Motion carried 5-2 with Mohl and Vick voting no.
{Tape : 3; Side : B; Approx. Time Counter : 15.4 - 26.8}

Maintenance/Improvement at MLEA (DP 22214)

Discussion between Chairman Vick and Greg Noose on DP 22214.

Motion/Vote: SEN. MAHLUM moved that DP 22214 BE ADOPTED. Motion carried unanimously.
{Tape : 3; Side : B; Approx. Time Counter : 26.8 - 30}{Tape : 4; Side : A; Approx. Time Counter : 0 - 1.2}

Legislative Contract Authority (DP 22215)

Motion: SEN. CHRISTIAENS moved that DP 22215 BE ADOPTED.

Discussion: Comments made by Greg Noose and Mary LaFond

Vote: Motion carried unanimously.
{Tape : 4; Side : A; Approx. Time Counter : 1.2 - 2.3}

Increase Basic Training to 12 Weeks (DP 22216)

Discussion on DP 22216 between Representative Fisher and Greg Noose. **EXHIBIT**(jih11a04)

Motion: REP. MENAHAN moved DP 22216.

Discussion: Questions by committee members answered.

Vote: Motion carried 4-3 with Fisher, Mohl, and Vick voting no.
{Tape : 4; Side : A; Approx. Time Counter : 2.3 - 14.5}

Motion/Vote: SEN. MOHL moved that BUDGET BE ADOPTED AS AMENDED. Motion carried unanimously.
{Tape : 4; Side : A; Approx. Time Counter : 15 - 16.5}

EXECUTIVE ACTION ON HIGHWAY PATROL DIVISION

Motion/Vote: SEN. MAHLUM moved that BUDGET AND STATEWIDE PRESENT LAW ADJUSTMENTS BE ADOPTED. Motion carried unanimously.

MHP Operations Adjustments (DP 11301)

Motion/Vote: REP. MENAHAN moved that DP 11301 ITEMS 1-4 BE ADOPTED. Motion carried unanimously.

Motion/Vote: REP. MENAHAN moved that DP 11301 ITEM #5 BE ADOPTED. Motion carried unanimously.

Motion/Vote: SEN. MOHL moved that DP 11301 ITEM #6 WITH THE ADJUSTMENT FOR THE MISSOULA RENT BE ADOPTED. Motion carried unanimously.

{Tape : 4; Side : A; Approx. Time Counter : 17 - 25.3}

Motion: SEN. CHRISTIAENS moved that DP 11301 ITEMS #7 AND #8 BE ADOPTED.

Discussion: Colonel Reap, highway patrol, answered committee questions.

Vote: Motion carried unanimously.

Motion/Vote: REP. FISHER moved FOR PRESENT LAW REDUCTION OF \$46,757 FOR COMPUTER HARDWARE item #9 BE ADOPTED. Motion carried unanimously.

Recruit Training School (DP 11302)

Motion: SEN. CHRISTIAENS moved that DP 11302 BE ADOPTED.

Discussion: Mary LaFond made a clarification of numbers. Senator Mohl asked if this was a new program. Colonel Reap replied that was not, and explained why the money was needed.

Vote: Motion carried unanimously.

{Tape : 4; Side : A; Approx. Time Counter : 17.7 - 32.2}{Tape : 4; Side : B; Approx. Time Counter : 0.6 - 0.8}

Base Budget Adjustments - MCSAP (DP 11340)

Colonel Reap explained DP 11340

Motion: REP. MENAHAN moved that DP 11340 BE ADOPTED.

Discussion: Senator Mohl commented on federal funds and gas tax.

Substitute Motion/Vote: SEN. MOHL made a substitute motion GIVE AUTHORIZATION OF FEDERAL FUNDS AND TAKE THE GAS TAX OUT OF IT. Substitute motion failed 5-2 with Christiaens and Shea voting aye. *Senator Christiaens voted by proxy*
{Tape : 4; Side : B; Approx. Time Counter : 0.8 - 6.1}

Legislative Contract Authority (DP 21313)

Colonel Reap explained DP 21313

Motion: REP. MENAHAN moved that DP 21313 BE ADOPTED.

Discussion: Mary LaFond and Colonel Reap talked about funding, and answered committee questions.

Vote: Motion carried unanimously.
{Tape : 4; Side : B; Approx. Time Counter : 6.1 - 13.8}

Funding Switch (DP 21322)

Motion/Vote: SEN. MOHL moved that DP 21322 BE ADOPTED. Motion carried unanimously.

Motion/Vote: REP. MENAHAN moved that LANGUAGE BE ADOPTED. Motion carried unanimously.

Motion/Vote: SEN. MOHL moved that BUDGET BE ADOPTED AS AMENDED. Motion carried unanimously.
{Tape : 4; Side : B; Approx. Time Counter : 13.8 - 18.4}

ADJOURNMENT

Adjournment: 12:17 A.M.

REP. STEVE VICK, Chairman

LINSEY MORTENSEN, Secretary

SV/LM

EXHIBIT (jih11aad)